

CITY ATTORNEY

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2012 FEB 16 PM 12:16

SOLOMON E. GRESEN [SBN: 164783]
STEVEN V. RHEUBAN [SBN: 48538]
LAW OFFICES OF RHEUBAN & GRESEN
15910 VENTURA BOULEVARD, SUITE 1610
ENCINO, CALIFORNIA 91436
TELEPHONE: (818) 815-2727
FACSIMILE: (818) 815-2737

Attorneys for Plaintiff Steve Karagiosian

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT

OMAR RODRIGUEZ; CINDY GUILLEN-
GOMEZ; STEVE KARAGIOSIAN;
ELFEGO RODRIGUEZ; AND JAMAL
CHILDS,

Plaintiffs,

-vs-

BURBANK POLICE DEPARTMENT; CITY
OF BURBANK; AND DOES 1 THROUGH
100, INCLUSIVE.

Defendants.

CASE NO.: BC 414 602

Complaint Filed: May 28, 2009

Assigned to: Hon. Joanne B. O'Donnell, Judge

Dept: 37

**PLAINTIFF STEVE KARAGIOSIAN'S
REQUESTED JURY INSTRUCTIONS AND
SPECIAL VERDICT FORM**

Final Status Conference: 2/3/2012

Trial Date: 2/15/2012

BURBANK POLICE DEPARTMENT; CITY OF
BURBANK,

Cross-Complainants,

-vs-

OMAR RODRIGUEZ, and Individual,

Cross- Defendant.

Plaintiff, Steven Karagiosian, respectfully requests that this Court give the following
numbered Judicial Council of California Civil Jury Instructions (CACI), special

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instructions and verdict forms and any further or additional instructions that may be subsequently requested:

<u>CACI No.</u>	<u>Given as Proposed</u>	<u>Given as Modified</u>	<u>Refused</u>	<u>Withdrawn</u>
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1 Plaintiff further requests that the following attached special jury instructions and special
2 verdict be given to the jury:

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No.	Description	Given as Proposed	Given as Modified	Refused	Withdrawn
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6	1 Reasonable Steps to Prevent Harassment				

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8 Plaintiff further requests that the following special verdict form be given to the jury:

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No.	Description	Given as Proposed	Given as Modified	Refused	Withdrawn
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11	1 Special Verdict/Harassment				

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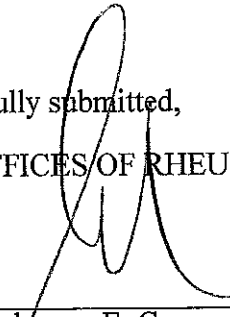
14 Dated: February 14, 2012

Respectfully submitted,

LAW OFFICES OF RHEUBAN & GRESEN

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17 By: 
Solomon E. Gresen
Attorneys for Plaintiff, Steve Karagiosian

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1 PLAINTIFF'S PROPOSED JURY INSTRUCTION NO. 1

2 **REASONABLE STEPS TO PREVENT HARASSMENT**

3 Reasonable steps to prevent harassment, discrimination or retaliation from
4 occurring may include affirmatively raising the subject of harassment, discrimination or
5 retaliation, expressing strong disapproval, developing appropriate sanctions, informing
6 employees of their right to raise and how to raise the issue of harassment, discrimination
7 or retaliation under law, and developing methods to sensitize all concerned.

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9 Authority: *Trujillo v. N. County Transit Dist.* (1998) 63 Cal. App. 4th 280, 287; *Northrop*
10 *Grumman Corp. v. Workers' Comp. Appeals Bd.* (2002) 103 Cal.App.4th 1021;
BAJI 12.20 (2001 Revision).

11 **GIVEN AS REQUESTED:**

12 **GIVEN AS MODIFIED:**

13 **REFUSED:**

14 **WITHDRAWN:**

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16 _____
17 JUDGE, SUPERIOR COURT
18 COUNTY OF LOS ANGELES
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SPECIAL VERDICT - HARASSMENT

We answer the questions submitted to us as follows:

1. Was Steve Karagiosian subjected to unwanted harassing conduct in his work environment based on his race or ancestry?

_____ Yes _____ No

If your answer to Question 1 is "yes," then answer Question 2. If you answered "no," stop here, answer no further questions, and have the presiding juror sign and date this form.

2. Was the harassment severe or pervasive?

_____ Yes _____ No

If your answer to Question 2 is "yes," then answer Question 3. If you answered "no," stop here, answer no further questions, and have the presiding juror sign and date this form.

3. Would a reasonable man in Steve Karagiosian's circumstances have considered the work environment to be hostile or abusive?

_____ Yes _____ No

If your answer to Question 3 is "yes," then answer Question 4. If you answered "no," stop here, answer no further questions, and have the presiding juror sign and date this form.

4. Did Steve Karagiosian consider the work environment to be hostile or abusive?

_____ Yes _____ No

If your answer to Question 4 is "yes," then answer Question 5. If you answered "no," stop here, answer no further questions, and have the presiding juror sign and date this form.

5. Was any of the harassment committed by a supervisor?

_____ Yes _____ No

If your answer to Question 5 is "yes," then skip questions 6 and 7, and answer Question 8. If you answered "no," then answer Question 6.

6. Did the Burbank Police Department or its supervisors or agents know, or should they have known of any of the harassing conduct?

_____ Yes _____ No

If your answer to question 6 is yes, then answer question 7. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

7. Did the Burbank Police Department or its supervisors or agents fail to take immediate and appropriate corrective action?

_____ Yes _____ No

(Continued on next page.)

1 If your answer to question 7 is yes, then answer question 8. If you answered no, stop
2 here, answer no further questions, and have the presiding juror sign and date this form.

3 8. Was the harassing conduct a substantial factor in causing harm to Steve
4 Karagiosian?

5 _____ Yes _____ No

6 If your answer to Question 8 is "yes," then answer Questions 9 and 10. If you
7 answered "no," stop here, answer no further questions, and have the presiding juror sign and
8 date this form.

9 9. Did the Burbank Police Department take reasonable steps to prevent the harassing
10 conduct?

11 _____ Yes _____ No

12 10. What are Steve Karagiosian's damages?

13 Amount: _____

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16 Dated: _____

17 _____
18 Presiding Juror

19 After all verdict forms have been signed, deliver this verdict form to the
20 [clerk/bailiff/judge].
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles. I am over the age of eighteen and am not a party to the within action. My business address is 15910 Ventura Boulevard, Suite 1610, Encino, California 91436.

On February 14, 2012, I served a copy of the following document described as **PLAINTIFF STEVE KARAGIOSIAN'S REQUESTED JURY INSTRUCTIONS AND SPECIAL VERDICT FORM** on the interested parties in this action as follows:

Lawrence A. Michaels
Mitchell Silberberg & Knupp LLP
11377 West Olympic Boulevard
Los Angeles, CA 90064-1683
Facsimile: (310) 312-3100
Email: LAM@msk.com

Linda Miller Savitt, Esq.
Ballard Rosenberg Golper & Savitt, LLP
500 North Brand Boulevard, Twentieth Floor
Glendale, California 91203
Facsimile: (818) 506-4827
Email: lsavitt@brgslaw.com

Carol Ann Humiston
Senior Assistant City Attorney
Office of the City Attorney
275 East Olive Avenue,
Burbank, California 91510-6459
Facsimile: (818) 238-5724
Email: chumiston@ci.burbank.ca.us

Robert Tyson, Esq.
Burke, Williams & Sorensen, LLP
444 South Flower Street, Suite 2400
Los Angeles, California 90071
Email: Rtyson@bwslaw.com

XX **BY MAIL:** By placing a true copy thereof enclosed in a sealed envelope(s) addressed as above, and placing each for collection and mailing on that date following ordinary business practices. I am "readily familiar" with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. mail Postal Service in Los Angeles, California, in a sealed envelope with postage fully prepaid.

XX **BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the person(s) at the e-mail address listed above. My electronic notification address is ag@rglawyers.com. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

XX **STATE:** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

EXECUTED on February 14, 2012, at Encino, California.

Annette Goldstein